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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,281	09/15/2000	Winston Donald Keech	A00291 US (98148.12)	2692
22191	7590	02/09/2005	EXAMINER SON, LINH L D	
GREENBERG-TRAURIG 1750 TYSONS BOULEVARD, 12TH FLOOR MCLEAN, VA 22102			ART UNIT 2135	PAPER NUMBER

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<b>Application No.</b> 09/663,281	<b>Applicant(s)</b> KEECH, WINSTON DONALD	
	<b>Examiner</b> Linh Son	<b>Art Unit</b> 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 September 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 16-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 16-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)<br>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)<br>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____.<br>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)<br>6) <input type="checkbox"/> Other: _____. |
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**DETAILED ACTION**

1. This written action is a Non-final rejection.
2. Examiner acknowledges and considers the receipt of certified copy of the priority document received on May 21<sup>st</sup>, 2001.
3. Claims 1-13 and 16-25 are pending. Claims 22-25 are newly added.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-13 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bostley, III et al, US Patent No. 6201871B1, hereinafter "Bostley", in view of Cardano Grilles, hereinafter "Grilles".
6. As per claims 1, 7, 8, and 20, Bostley teaches "A coded identification system, the system comprising an electronic computer, a specific electronic communication device that is operable to be in communication with the electronic computer, and at least one electronic communications device that is operable to be in communication with the electronic computer, wherein the electronic computer includes data relating to the specific electronic communications device, including a

permanent identification code (Col 6 lines 53-57), a mask code (A-key) and an identification code (SSD) enabling electronic communication between the electronic computer and the specific electronic communication devices" in (Col 3 lines 17-45), and "wherein the permanent identification code is input to the at least one electronic communication device and transmitted to the electronic computer" in (Col 6 lines 47-60), "the electronic computer generates a pseudo-random string and transmits this to the specific electronic communications device, the mask code is applied to the pseudo-random string so as to generate a volatile identification code in accordance with predetermined rules" in (Col 5 lines 35-49), "the volatile identification code is transmitted back to the electronic computer by the specific electronic communications device or the at least one electronic communications device, the electronic computer checks the volatile identification code transmitted thereto against a volatile identification code obtained by applying the mask code to the pseudo-random string in accordance with the predetermined rules, and in which a positive identification is made when the volatile identification codes are found to match by the electronic computer" in (Col 5 lines 35-65):

However, Bostley does not teach the pseudo-random string comprises a first linear array of characters, each character having a given numerical position in the first array (first, second, third etc.), and wherein the mask code comprises a second linear array of numbers, each number having a given numerical position in the second array (first, second, third etc.), the predetermined rules for applying the mask code to the pseudo-random string so as to generate the volatile identification code

being sequentially to select numerical positions in the first array on the basis of the numbers in the second array, taken in positional order, and to return the characters thereby selected from the first array in sequence so as to form a third linear array, this third linear array forming the volatile identification code.

Nevertheless, Grilles teaches a method of deciphering a message called Grilles, which was invented in the 16th century by an Italian mathematician, Girolomo (Jerome) Cardano. Diplomats often used grilles in the 16th and 17th centuries to conceal national secrets. A grille is a square or rectangular piece of cardboard into which openings have been cut at various places. The letters (or words) of a message were written through the "windows", the grille was removed, and the spaces between those letters filled with null letters (or words) to make a false message. When an identical grille was placed over the coded message, the null letters (or words) were hidden and the true message could be read through the holes. The grille square or rectangular piece is the key which is use to read the message. The grille square piece has numerous holes at a certain location or position on the piece. The message will be read out of those locations of the holes. Further, the Grilles method has no limitation of deciphering only alphabet message. Therefore, it would have been obvious at the time the invention was made for one having ordinary skill in the art to modify Bostley's invention to implement Grilles' message masking method to pass a message secretly from one party to second without being compromised by a third party.

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7. As per claims 2, 3, 10, 11, 16, 17, and 18, Bostley, and Grilles disclose a system as claimed in claim 1, wherein the specific electronic communications device and the at least one electronic communications device are the same device (Col 3 lines 45-55, and Col 4 lines 38-40).
8. As per claims 4 and 12, Bostley, and Grilles disclose a system as claimed in claim 1, wherein the specific communications device is a mobile telephone, a pager or a personal digital assistant (Col 3 lines 45-55).
9. As per claims 5, 13, and 19, Sarpola, Grilles, Brandman, and Ala-Laurila disclose a system as claimed in claim 3, wherein the at least one electronic communications device is an EFTPOS terminal or the like (Col 3 lines 45-55).
10. As per claims 9 and 21, Bostley, and Grilles disclose a method according to claim 8, wherein the pseudo-random string contains at least one character that is representative of some condition of the data relating to the person (Col 5 lines 35-40).
11. As per claim 6, Bostley, and Grilles disclose a system as claimed in claim 1, wherein the permanent identification code is supplied in the form of a card bearing human and/or machine-readable indicia (Col 6 lines 53-60, the ESN number can be located on the back of the phone).

12. As per claims 22-25, Claim 1's rejection basis is incorporated. , Bostley, and Grilles disclose a system according to claims 7 and 20. "wherein the user is able to first identify to the host the position of the representative character in the pseudorandom string, and secondly identity to the host the meaning of the representative character in the pseudorandom string" is taught by Grilles on (page 1-3).

### ***Response to Amendment***

Response to Applicant's argument, claims 1-13 and 16-25 are pending. The previous grounds of rejection are withdrawn in view of Applicant's arguments in the Amendment filed on 09/15/200. However, newly discovered prior art has necessitated new grounds of rejection. The new grounds of rejection are presented above. The delay in citation of the newly discovered prior arts is regretted.

### **Conclusion**

1. Any inquiry concerning this communication from the examiner should be directed to Linh Son whose telephone number is (571)-271-3856.
2. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Y. Vu can be reached at (571)-272-3859. The fax numbers for

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this group are (703)-872-9306 (official fax). Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2100.

3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIR.I system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://pzr-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Handwritten signature*  
AU 2135

**Linh LD Son**

**Patent Examiner**

**13.**